?BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

%DATED: 26.10.2018

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THE HONOURABLE Mr.JUSTICE S.VAIDYANATHAN
+W.P.(MD)Nos.21908 of 2018
to 21912 of 2018

#J.Santhanam
... Petitioner in W.P.(MD)No.21908 of 2018
S.Rajendran
... Petitioner in W.P.(MD)No.21909 of 2018
M.Mohan
... Petitioner in W.P.(MD)No.21910 of 2018
P.Govindarajulu
... Petitioner in W.P.(MD)No.21911 of 2018
P.Selvam
... Petitioner in W.P.(MD)No.21912 of 2018

Vs.

$1.The Managing Director,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Rep.by its Managing Director,
Kumbakonam.

2.The General Manager,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Nagapattinam Region,
Nagapattinam.

3.The Administrator,
Tamil Nadu State Transport Corporation Employees Pension Fund Trust,
Pallavan Salai,
Thiruvalluvar Illam,
Chennai ~ 2.
... Respondents

PRAYER in all the W.Ps.: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 to revise the petitioner-s pay and grade pay in terms of Clause 1(a) and Clause 5 of settlement under Section 12(3) of the I.D.Act, dated 04.01.2018 and consequently, direct the respondents to revise his pension, gratuity, earned leave salary, commuted value of pension, provident fund based on the pay revision given in the settlement and to disburse the difference amounts in the terminal benefits together with interest at the rate of 18% per annum payable from the date when it became due to till the date of actual payment within the time limit that may be fixed by this Court.

!For Petitioners : Mr.A.Rahul

^For Respondents : Mr.D.Sivaraman for R1 and R2
Mr.A.P.Muthupandian for R3

:COMMON ORDER
The petitioners seek for a Writ of Mandamus, directing the respondents 1 and 2 to revise the petitioners- pay and grade pay in terms of Clause 1(a) and Clause 5 of settlement under Section 12(3) of the Industrial Disputes Act, dated 04.01.2018 and consequently, direct the respondents concerned to revise the pension, gratuity, earned leave salary, commuted value of pension and provident fund based on the pay revision granted under the settlement and also to disburse the difference amounts in the terminal benefits together with interest at the rate of 18% per annum payable from the date when it became due to till the date of actual payment within the time limit.

2.Mr.D.Sivaraman, learned counsel takes notice for respondents 1 and 2 / Corporation and Mr.A.P.Muthupandian, learned counsel takes notice for the 3rd respondent. By consent, the writ petition itself is taken up for final disposal.

3.The learned counsel for the petitioners submitted that it would suffice if the representations of the petitioners shall be disposed of in the light of the settlement dated 13.04.2015 entered under Section 12(3) of Industrial Disputes Act, within a time frame to be fixed by this Court.

4.In view of the limited scope of the prayer, without going into the merits of the matter, the respondents concerned are directed to consider the representations of the petitioners, dated 13.10.2018 and pass appropriate orders thereon in the light of the terms of settlement dated 13.04.2015 entered under Section 12(3) of Industrial Disputes Act, 1947. In case, the petitioners are entitled to the settlement entered under Section 12(3) of the Act, the eligible amount shall be extended to the petitioners, preferably within a period of eight weeks from the date of receipt of a copy of this order.

5.With the above direction, the Writ Petitions stand disposed of. No costs.

To
1.The Managing Director,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Rep.by its Managing Director,
Kumbakonam.

2.The General Manager,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Nagapattinam Region,
Nagapattinam.

3.The Administrator,
Tamil Nadu State Transport Corporation Employees Pension Fund Trust,
Pallavan Salai,

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